

HOUSE BUDGET & RESEARCH OFFICE

(404) 656-5050

HOUSE COMMUNICATIONS

(404) 656-0305

TOMORROW'S FORECAST

* The House will reconvene for its 17th Legislative Day on Wednesday, February 13, at 10:00 AM.

* 6 bills are expected to be debated on the floor.



GEORGIA HOUSE OF REPRESENTATIVES

DAILY REPORT

Tuesday, February 12, 2013

16th Legislative Day

TODAY ON THE FLOOR

RULES CALENDAR

HB 101 - Nonprofit organizations; exclude certain events from "food service establishment" definition

- BILL SUMMARY: The bill amends Code Section 26-2-370 of the O.C.G.A. so as to exclude certain events held by nonprofit organizations, from the definition of "food service establishment" and to amend Code Section 26-2-391 relating to permits for nonprofit food sales and food service events, so as to allow counties or municipalities to delegate permitting authority to the local board of health and to repeal conflicting laws.

Section 1

In Code Section 26-2-370 subparagraph (2) line 34 the term 'a fair or festival' is struck and replaced with the words 'an event.'

Section 2

Code Section 26-2-391 provides new language which allows 'that the county or municipality may delegate the authority to issue such permits to the county board of health.' Also provides that no fees shall be charged to an organization for the issuance of such permit.

Section 3

All laws and parts of laws in conflict with this Act are repealed.

- **Authored By:** Rep. James Epps of the 144th
- **House Committee:** Agriculture & Consumer Affairs
- **Rule:** Modified-Open
- **Yeas:** 162; **Nays:** 0

HR 4 - Georgia and Tennessee; boundary dispute; propose settlement

- BILL SUMMARY: HR 4 urges the State of Tennessee to accept a settlement of the boundary dispute between the State of Georgia and the State of Tennessee. The settlement reflects the flawed 1818 survey as the boundary line along with a metes and bounds exception which would be made a part of the State of Georgia so that Georgia can exercise its riparian water rights to the Tennessee River at Nickajack.

The resolution further authorizes the Governor to enter into any necessary negotiations with the State of Tennessee to resolve this dispute.

- **Authored By:** Rep. Harry Geisinger of the 48th
- **House Committee:** Judiciary
- **Rule:** Open
- **Yeas:** 171; **Nays:** 2

SB 25 - Macon, City of; City of Payne City; Bibb County; nonpartisan elections of mayor and commissioners

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the mayor and commission of the unified government of Macon/Bibb County.

- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **Rule:** Structured
- **Yeas:** 111; **Nays:** 62

SB 26 - Bibb County; provide for future elections for coroner

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the coroner, the Judge of the Civil Court, the Chief Magistrate of Magistrate Court, and the Probate Judge of the Probate Court of the unified government of Macon/Bibb County.
- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **Rule:** Structured
- **Yeas:** 110; **Nays:** 62

SB 30 - Board of Public Education for Bibb County; nonpartisan elections of members

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the members of the Macon/Bibb County Board of Education.
- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **Rule:** Structured
- **Yeas:** 108; **Nays:** 66

SB 31 - Macon-Bibb County Water and Sewerage Authority Act; nonpartisan election for the members

- BILL SUMMARY: A Bill to provide for the nonpartisan election of the members of the Macon-Bibb County Water and Sewerage Authority.
- **Authored By:** Sen. Cecil Staton of the 18th
- **House Committee:** Intragovernmental Coordination
- **Rule:** Structured
- **Yeas:** 114; **Nays:** 61

** The House will reconvene Wednesday, February 13, at 10:00 AM, for its 17th Legislative Day.*

COMMITTEE ON RULES

The Committee on Rules has fixed the calendar for the 17th Legislative Day, Wednesday, February 13, and bills may be called at the pleasure of the Speaker.

NEXT ON THE FLOOR

HB 50 - Nurses; mandatory reporting; require

- BILL SUMMARY: House Bill 50 requires registered nurses, licensed practical nurses, advanced practice registered nurses, nursing employers, and state nursing licensing agencies to report to the Nursing Board if they suspect or know of a nurse violating Code Section 43-26-53.

These violations are as follows:

1. Practicing nursing without a valid, current license.
2. Practicing nursing under cover of any illegal or fraudulently obtained diploma or license.
3. Practicing nursing during the time a license is suspended, revoked, surrendered or administratively revoked.
4. Using any words, abbreviations, figures, letters, title, sign, card or device implying that the person is an RN, LPN, or APN unless that person is licensed as such.
5. Fraudulently furnishing a license to practice nursing.
6. Knowingly aiding or abetting any person violating this code section.
7. Being convicted of any felony or crime involving moral turpitude or related to controlled substances or dangerous drugs.
8. Displaying an inability to practice nursing with reasonable skills and safety due to the use of drugs or alcohol.

No nurse, employer, or agency that, in good faith, either reports or fails to report, will be subject to civil or criminal liability or discipline for unprofessional conduct. No physician or licensed health care professional who examines a nurse at the request of the board will be subject to suit for damages by the nurse examined.

- **Authored By:** Rep. Sharon Cooper of the 43rd
- **House Committee:** Health & Human Services
- **House Committee Passed:** 2/6/2013
- **Rule:** Modified-Structured

HB 60 - Firearms; certain laws regarding carrying and possession by retired judges; provide exemption

- BILL SUMMARY: House Bill 60 amends the Code relating to carrying of firearms by retired judges. The requirement that they be on state retirement is taken out of Code, so as to provide for carry privileges for all retired state, local, and federal judges, full-time and permanent part-time judges of municipal and city courts, and such former judges retired from their respective offices.

- **Authored By:** Rep. Doug Holt of the 112th
- **House Committee:** Public Safety & Homeland Security
- **House Committee Passed:** 2/5/2013
- **Rule:** Modified-Structured

HB 103 - Insurance; issuance of group life insurance policy to certain groups as approved by the Commissioner; allow

- BILL SUMMARY: HB 103 allows the issuance of a group life insurance policy to certain groups as approved by the Commissioner that do not otherwise qualify as a group. Further, it removes the participation requirement before the extension of group life policy coverage to dependents of employees or members.

- **Authored By:** Rep. Jason Shaw of the 176th
- **House Committee:** Insurance
- **House Committee Passed:** 2/7/2013
- **Rule:** Modified-Open

HB 124 - Local elections; votes cast for disapproval of Sunday alcohol sales by retailers shall not nullify prior election results; provide

- BILL SUMMARY: House bill 124 relates to the local authorization and regulation of sales of alcoholic beverages on Sundays by upholding past electoral decisions. The legislation states that if more than one-half the votes cast on the question of Sunday package sales were against the matter, their rejection will not nullify the prior election results allowing retailers of malt beverages and wine to allow the sales of said beverages on Sundays between the hours of 12:30 P.M. and 11:30 P.M. The legislation defines a "retail package liquor store" as a retail business establishment owned by an individual, partnership, corporation, association, or other business entity primarily engaged in the retail sale of distilled spirits, malt beverages, and wine in unbroken packages, not for consumption on the premises which derives at least 75% of its total annual gross sales from a combination of these beverages.

- **Authored By:** Rep. Brett Harrell of the 106th
- **House Committee:** Regulated Industries
- **House Committee Passed:** 2/6/2013
- **Rule:** Modified-Structured

HB 135 - Municipalities; ante litem notice; the amount of damages sought; provide

- BILL SUMMARY: HB 135 requires that ante litem notices specify the amount of damages sought and be served to the mayor or the chairperson of city council or commission either personally, by certified mail, or statutory overnight delivery.

- **Authored By:** Rep. Andrew J. Welch of the 110th
- **House Committee:** Judiciary
- **House Committee Passed:** 2/5/2013
- **Rule:** Modified-Open

HB 198 - Patient Protection and Affordable Care Act; licensing of health insurance navigators; provide

- BILL SUMMARY: HB 198 provides for limited licensing by the Commissioner of Insurance for individuals serving as "Navigators" under the federal Patient Protection and Affordable Care Act (ACA). It also establishes the criteria to get and maintain that license. They are:

(1) The applicant shall establish to the satisfaction of the Commissioner that he or she has the background, experience, knowledge, and competency in the subject matter that will enable him or her to deliver accurate information and advice to individuals and groups in this state seeking to obtain health insurance coverage under the provisions of the federal act;

(2) The applicant shall have successfully completed not less than 35 hours of instruction in health benefit insurance and the exchange provisions of the federal act satisfactory to the Commissioner through a training program approved by the Commissioner;

(3) The applicant shall pass such examination as shall be required by the Commissioner unless such applicant is exempted by the Commissioner based on the applicant's experience and qualifications and pursuant to regulations adopted by the

Commissioner;

(4) An applicant shall be not less than 18 years of age and of good moral character and must submit in a form approved by the Commissioner such information, including without limitation criminal history and regulatory background information, as the Commissioner may require; and

(5) An applicant for a renewal license shall have completed continuing education classes approved by the Commissioner.

- **Authored By:** Rep. Richard Smith of the 134th

- **House Committee:** Insurance

- **House Committee Passed:** 2/7/2013

- **Rule:** Modified-Open

**** The Rules Committee will next meet on Wednesday, February 13, at 9:00 AM, to set the Rules Calendar for the 18th Legislative Day.***

COMMITTEE ACTION REPORT

Education

HB 123 - Parent and Teacher Empowerment Act; enact

- BILL SUMMARY: House Bill 123 enacts the "Parent and Teacher Empowerment Act" to convert existing schools to charter schools or to impose turnaround models for low achieving schools. This bill lists those who are able to submit petition to the local school board and the turnaround models that can be imposed.

- **Authored By:** Rep. Edward Lindsey of the 54th

- **Committee Action:** Do Pass by Committee Substitute

Game, Fish, & Parks

HB 155 - Game and fish; licensing and operation of shooting preserves; revise provisions

- BILL SUMMARY: HB 155 by Committee Sub (LC 40 0287S)

Section 1

Title 27 is amended by revising Article 4 of Chapter 3.

27-3-110

(a), A blanket commercial license is no longer included as permissible for releasing pen raised game birds.

27-3-110

(c-1), The land to compromise the preserve must consist of not more than 1,000 acres and not less than 100 contiguous acres and must be owned or leased by the applicant.

(c-2), The boundary lines of the premises must be marked by signs indicating that they are the boundary line signs, and that the premises are posted as against trespassing.

(c-3)(a), As a condition of holding a shooting preserve license, the owner or his or her lessee or agent, shall, prior to allowing anyone to hunt on such shooting preserve will confirm that such person has completed a hunter education course.

(c-3)(b), If a hunter education course isn't verified, education instruction will be provided that, at a minimum, demonstrates techniques for proper firearm handling, unloading, and safety.

27-3-111

(a), Any pen raised game bird that is removed from a shooting preserve must be accompanied by the contact information of the preserve from which it was taken.

(c), The department must be allowed to access records of all pen raised game birds propagated, released or taken on the preserve during all regular business hours.

(d), The licensee must notify the department within 24 hours of the diagnosis of any epizootic disease of any pen raised game bird on the preserve.

27-3-112

(a), Ring-necked pheasants are allowed to be hunted between October 1 and March 31 of the following year, unlike other pen raised game birds, except for one half hour before sunrise or sunset.

27-3-113

No one shall have or release on any shooting preserve, any wildlife or wild animal except pen raised game birds, unless the person has received prior written approval from the department.

27-3-114

(a), is amended to include fishing in any private or state waters within the boundaries of a preserve.

(b), The requirements of subsection (b) of Code Section 27-2-5 shall not apply to any person hunting pen raised game birds on a proper shooting reserve as long as the individual has completed hunter education requirements.

27-3-115

(a-c), The department is authorized to enter into agreements with properly licensed shooting preserves for the purpose of issuing and selling shooting preserve hunting licenses. The department shall not disclose any shooting preserve hunting license record, which reveals the name, home address, home telephone number, or social security number, without written consent from the owner or lessee of the shooting preserve.

Section 2

Paragraph (48) of section 27-1-2 is revised by stating the definition of 'Pen raised game bird'. The definition is any bobwhite quail, chukar or red-legged partridge, coturnix or Japanese quail, ring-necked pheasant, mallard duck, or black duck.

Section 3

Code Section 27-2-3.1 is amended by revising paragraph (1) of subsection (f) to state that lifetime shooting preserve licenses, available to any individual, resident or nonresident, which entitles the holder to hunt pen raised game birds and fish in any private or state waters within the boundaries of a properly licensed shooting preserve is \$75.00.

Section 5

Subsection (b) of Code Section 12-2-1 is revised to state that any resident owner of any vessel properly numbered in accordance with Code Section 52-7-5 may hunt and fish on his or her date of birth and up to two consecutive days thereafter in accordance with the requirements of this title and as otherwise specified by the department.

This will allow registered boat owners to hunt and fish without a license on these days.

- **Authored By:** Rep. David Knight of the 130th

- **Committee Action:** Do Pass by Committee Substitute

Human Relations & Aging

HB 290 - Labor; employees use sick leave for care of immediate family members; allow

- BILL SUMMARY: HB 290 known as the "Family Care Act" would allow employees working for any business with 10 or more employees to use their accrued sick/medical leave to care for a sick immediate family member; defined as child, spouse or parent. The Commission of Labor will be responsible for setting the rules and implementing this act.

- **Authored By:** Rep. Katie M. Dempsey of the 13th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 247 - Emerson, City of; provide new charter

- BILL SUMMARY: A Bill to provide a new charter for the City of Emerson.

- **Authored By:** Rep. Paul Battles of the 15th

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 273 - Bibb County; State Court; provide additional judge

- BILL SUMMARY: A Bill to provide for an additional judge, the appointment thereof, the election of, the terms of office for, and the compensation for, in the State Court of Bibb County.

- **Authored By:** Rep. Nikki Randall of the 142nd

- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 277 - Randolph County; vehicles shall be registered and licensed to operate during four-month nonstaggered registration; repeal

- BILL SUMMARY: A Bill to repeal an Act providing that all vehicles shall be registered and licensed to operate in Randolph County during the four-month nonstaggered registration period.
- **Authored By:** Rep. Gerald Greene of the 151st
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 278 - Arlington, City of; provide duties of mayor

- BILL SUMMARY: A Bill to abolish the office of city manager and redefine the powers and duties of the mayor in the City of Arlington.
- **Authored By:** Rep. Gerald Greene of the 151st
- **Committee Action:** Do Pass

Intragovernmental Coordination - Local

HB 281 - Cobb County Commission on Children and Youth; provide annual report

- BILL SUMMARY: A Bill to require the Cobb County Commission on Children and Youth to produce and distribute an annual report to the Cobb legislative delegation, the county commissioners, and the county judicial officers, and, to provide a sunset date for the Commission of July 1, 2024.
- **Authored By:** Rep. John Carson of the 46th
- **Committee Action:** Do Pass

Public Safety & Homeland Security

HB 35 - Firearms; carrying and possession of by an administrator within a school safety zone or school building; provide

- BILL SUMMARY: House Bill 35 will allow each system's school board to designate personnel authorized to possess and carry firearms on school property.
- **Authored By:** Rep. Paul Battles of the 15th
- **Committee Action:** Do Pass by Committee Substitute

Public Safety & Homeland Security

HB 255 - Unified Carrier Registration Act of 2005; administration responsibilities from Department of Revenue to Department of Public Safety; transfer

- BILL SUMMARY: This legislation moves responsibility of administration of the Unified Carrier Registration Act of 2005 from the Department of Revenue to the Department of Public Safety.
- **Authored By:** Rep. Terry Rogers of the 10th
- **Committee Action:** Do Pass

** Bills passing committees are reported to the Clerk's Office, and are then placed on the General Calendar.*

COMMITTEE MEETING SCHEDULE

Wednesday, February 13, 2013

TBD	Floor Session (LD17)	HOUSE CHAMBER (10:00)
8:00 AM - 9:00 AM	AGRICULTURE & CONSUMER AFFAIRS	403 CAP
8:00 AM - 9:00 AM	INSURANCE	606 CLOB
9:00 AM - 10:00 AM	Public/Private Institutions Subcommittee of Higher Education	515 CLOB
9:00 AM - 10:00 AM	RULES	341 CAP
12:30 PM - 2:00 PM	Railway and Transit Subcommittee of Transportation	606 CLOB
1:00 PM - 2:00 PM	INFORMATION & AUDITS	403 CAP
1:30 PM - 3:30 PM	Appropriation Higher Education Subcommittee	341 CAP
2:00 PM - 4:00 PM	Appropriation Health Subcommittee	506 CLOB
2:00 PM - 5:00 PM	Appropriation Public Safety Subcommittee	406 CLOB
2:00 PM - 3:00 PM	RETIREMENT	515 CLOB
2:00 PM - 3:30 PM	JUDICIARY NON-CIVIL	132 CAP
3:00 PM - 4:00 PM	INTERSTATE COOPERATION	415 CLOB- CANCELED
3:00 PM - 4:00 PM	STATE PROPERTIES	403 CAP
3:00 PM - 4:30 PM	Academic Support Subcommittee of Education	605 CLOB- CANCELED
3:00 PM - 4:00 PM	REGULATED INDUSTRIES	515 CLOB
3:30 PM - 5:00 PM	JUDICIARY CIVIL	132 CAP
4:00 PM - 5:00 PM	Telecommunications Subcommittee of Energy, Utilities & Telecommunications	606 CLOB
4:00 PM - 5:00 PM	General Government Subcommittee of Governmental Affairs	415 CLOB
4:00 PM - 5:00 PM	Income Tax Subcommittee of Ways & Means	133 CAP

** This meeting schedule is up to date at the time of this report, but meeting dates and times are subject to change. To keep up with the latest schedule please visit www.house.ga.gov and click on [Meetings Calendar](#).*